

Trenton H. Norris (SBN 164781)
 Sarah Esmaili (SBN 206053)
 ARNOLD & PORTER LLP
 90 New Montgomery Street, Suite 600
 San Francisco, CA 94105
 Telephone: (415) 356-3000
 Facsimile: (415) 356-3099
 Email: trent.norris@aporter.com
 Email: sarah.esmaili@aporter.com

Peter L. Zimroth (*pro hac vice*)
 Kent A. Yalowitz (*pro hac vice*)
 Nancy G. Milburn (*pro hac vice*)
 ARNOLD & PORTER LLP
 399 Park Avenue
 New York, NY 10022
 Telephone: (212) 715-1000
 Facsimile: (212) 715-1399
 Email: peter.zimroth@aporter.com
 Email: kent.yalowitz@aporter.com
 Email: nancy.milburn@aporter.com

Attorneys for Plaintiff
 CALIFORNIA RESTAURANT ASSOCIATION

Ann Miller Ravel, County Counsel (SBN 62139)
 Miguel Marquez (SBN 184621)
 Tamara Lange (SBN 177949)
 OFFICE OF THE COUNTY COUNSEL
 70 West Hedding Street, East Wing, Ninth Floor
 San Jose, CA 95110-1770
 Telephone: (408) 299-5900
 Facsimile: (408) 292-7240

Attorneys for Defendants
 COUNTY OF SANTA CLARA and SANTA CLARA
 COUNTY PUBLIC HEALTH DEPARTMENT

Dennis J. Herrera, City Attorney (SBN 139669)
 Francesca Gessner (SBN 247553)
 Tara M. Steeley (SBN 231775)
 Deputy City Attorneys
 1 Dr. Carlton B. Goodlett Place
 City Hall, Room 234
 San Francisco, CA 94102-4682
 Telephone: (415) 554-4762
 Facsimile: (415) 554-4699
 Email: francesca.gessner@sfgov.org

Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO
 and SAN FRANCISCO DEPARTMENT OF
 PUBLIC HEALTH

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA RESTAURANT
 ASSOCIATION,

 Plaintiff,

 v.

 THE CITY AND COUNTY OF SAN
 FRANCISCO and THE SAN FRANCISCO
 DEPARTMENT OF PUBLIC HEALTH,

 Defendants.

Case No. CV-08-3247 (CW) and
 Case No. CV-08-03685 (CW)

**STIPULATION AND ORDER
 REGARDING CASE SCHEDULING
 ORDER**

Honorable Claudia Wilken

1	CALIFORNIA RESTAURANT)
	ASSOCIATION,)
2)
	Plaintiff,)
3)
	THE COUNTY OF SANTA CLARA AND)
4	THE SANTA CLARA COUNTY PUBLIC)
	HEALTH DEPARTMENT,)
5)
	Defendants.)

STIPULATION

WHEREAS, on July 3, 2008, the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines in *California Restaurant Association v. The City and County of San Francisco, et al.*, Case No. CV-08-03247 CW (the “San Francisco” case), setting the initial Case Management Conference to take place on October 7, 2008;

WHEREAS, on August 1, 2008, the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines in *California Restaurant Association v. The County of Santa Clara, et al.*, Case No. CV-08-03685 CW (the “Santa Clara County” case), setting the initial Case Management Conference to take place on November 19, 2008;

WHEREAS, on August 15, 2008, the Court ordered the *San Francisco* and *Santa Clara County* cases related;

WHEREAS, on August 28, 2008, the Court issued a Case Management Scheduling Order (“Order”) rescheduling the Case Management Conference in these actions to take place on November 25, 2008; and

WHEREAS, the parties wish to specify coordinated initial case management conference and ADR deadlines not specifically stated in the Order so that these deadlines correspond to the November 25, 2008 Case Management Conference date;

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendants, subject to approval of the Court, that the following deadlines associated with the November 25, 2008 Case Management Conference in these actions shall apply:

1. November 4, 2008: Last day to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan (per Fed. R. Civ. Proc. 26(f)).

2. November 4, 2008: Last day to file ADR Certification signed by parties and counsel (per Civ. L.R. 16-8).
3. November 4, 2008: Last day to file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference (per Civ. L.R. 16-8).
4. November 18, 2008: Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report (per Fed. R. Civ. Proc. 26(a)(1) and Civ. L.R. 16-8).

The deadline for the parties to file a Case Management Conference Statement and the date of the Case Management Conference in these actions of November 25, 2008, as set out in the Order, are unaffected herein.

IT IS SO STIPULATED.

Dated: September __, 2008

ARNOLD & PORTER LLP

By: _____

Sarah Esmaili

Attorneys for Plaintiff

CALIFORNIA RESTAURANT ASSOCIATION

Dated: September __, 2008

DENNIS J. HERRERA

City Attorney

TARA M. STEELEY

FRANCESCA GESSNER

By: _____

Tara M. Steeley

Attorneys for Defendants

CITY AND COUNTY OF SAN FRANCISCO

AND SAN FRANCISCO DEPARTMENT OF

PUBLIC HEALTH

1 Dated: September __, 2008

ANN MILLER RAVEL
County Counsel
TAMARA LANGE
MIGUEL MARQUEZ

4 By: _____
Tamara Lange
Attorneys for Defendants
THE COUNTY OF SANTA CLARA AND THE
SANTA CLARA COUNTY PUBLIC HEALTH
DEPARTMENT

8 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED:**

9 **9/23/08**

10 Dated: _____

11 

13 _____
HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT COURT JUDGE